

IN THE UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT

DR. RACHEL TUDOR et al.,	§	
	§	
Plaintiff-Appellant.	§	
v.	§	
	§	
SOUTHEASTERN OKLAHOMA	§	Case No. 18-6102/18-6165
STATE UNIVERSITY	§	
	§	
and	§	
	§	
REGIONAL UNIVERSITY SYSTEM	§	
OF OKLAHOMA	§	
	§	
Defendants-Appellees.	§	
	§	

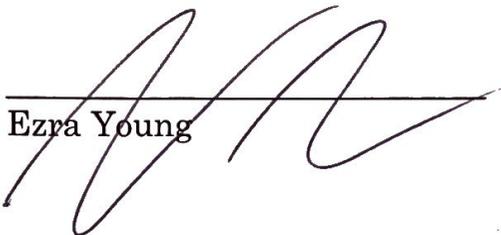
**VERIFIED ITEMIZED BILL OF COSTS**

Former counsel for Plaintiff-Appellant, Dr. Rachel Tudor, respectfully submits, pursuant to Fed. R. App. P. 39(c) the within bill of costs and requests the Clerk to prepare an itemized statement of costs taxed against Defendants/Appellees and in favor of Plaintiff-Appellant, for insertion in the mandate.

All calculations of costs due for printing are calculated at \$.20 per page, as required by Tenth Circuit Local Rule 39.1(a).

Cost of printing appendix (1 necessary copy, 1,998 pages)	\$399.60
Cost of printing first brief (7 necessary copies, 99 pages each)	\$138.60
Cost of printing third brief (7 necessary copies, 101 pages each)	\$141.40
	Total: \$ 679.60

VERIFICATION

  
Ezra Young

Subscribed and sworn to before me  
this 27 day of September, 2021  
By Sergey David Vorobyov  
Notary Public

SERGEY DAVID VOROBYOV  
Notary Public, State of New York  
Reg. No. 01VO6413023  
Qualified Tompkins County  
Commission Expires 01/19/2025



Law Firm of Ezra Young  
 Taxable Costs, Reflecting Actual Costs Incurred,  
 Summary Chart for  
*Tudor v. Se. Okla. Univ. et al.*, 18-6102 and 18-6165 (10th Cir.)

Date	Vendor	Item	Costs
11/14/18	Cockle Printing	Down payment— 17 copies First Brief (99 pages each), 2 copies Appendix printing (1,760 pages in black and white; 238 color pages). Includes charges for binding, and delivery with proofs and postage.	\$800.00
11/19/18	Cockle Printing	Final payment—17 copies First Brief (99 pages each), 2 copies Appendix printing (1,760 pages in black and white; 238 color pages). Includes charges for binding, and delivery with proofs and postage.	\$918.43
2/12/19	Cockle Printing	Down payment—17 copies Third Brief (101 pages each) printing, binding, and delivery. Includes charges for binding, and delivery with proofs and postage.	\$275.00
2/13/19	Cockle Printing	Additional payment—17 copies Third Brief (101 pages each) printing, binding, and delivery. Includes charges for binding, and delivery with proofs and postage.	\$239.45

Total Costs Actually Incurred: \$2,232.88

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	§	

**EZRA YOUNG’S AFFIRMATION IN SUPPORT OF  
BILL OF COSTS**

Ezra Young, an attorney in good standing before the Bar of the State of New York and a member in good standing of the bar of this Court, affirms under penalty of perjury:

1. Through my law firm, I represented Plaintiff-Appellant, Dr. Rachel Tudor, for a substantial portion of her ultimately successful direct appeal and defense against cross-appeal.
2. Tudor’s action was brought pursuant to Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e *et seq.*, alleging she was subjected to a

hostile work environment, discriminated against because of her sex, and retaliated against.

3. In November 2017, Dr. Tudor prevailed on three claims—two claims of sex discrimination and one claim of retaliation—in a jury trial conducted by the Western District of Oklahoma.
4. After the jury trial, Dr. Tudor sought make whole relief from the District Court, including backpay, front pay, and reinstatement to the tenured professorship she would have received but for the statutory violations as found by the jury.
5. After several months of briefing remedies, the District Court erroneously calculated Tudor’s monetary remedies and withheld reinstatement. The District Court also, to Tudor’s eye, misapplied the statutory cap to the jury’s damages award. Tudor ultimately appealed these issues to this Court.
6. In the Fall of 2018, Defendants-Appellees filed cross-appeals raising what this Court ultimately labeled meritless challenges to the proceedings below.
7. On September 13, 2021, this Court reversed the District Court’s calculation of backpay and front pay and directed the District Court

to order Dr. Tudor's reinstatement with tenure as a make whole remedy. While this Court ultimately rejected Tudor's challenge to the statutory cap, it found raised a substantive argument on this issue of first impression.

8. In this Court's same order, it designated Dr. Tudor as the prevailing party in the trial court and on appeal and cross-appeal.

9. As Dr. Tudor is the prevailing party on appeal and cross-appeal, the Court should grant this Bill of Costs.

10. I personally prepared the Verified Itemized Bill of Costs filed in this matter. In support of the Bill of Costs, I represent the following:

a. I choose to use Cockle Legal Briefs, an Omaha, Nebraska based legal printer with expertise in preparing, printing, binding, and serving federal appellate briefs.

b. Cockle charges extra to proof materials, type-set them, and deliver them to appellate courts. I knowingly took on those costs to ensure that Dr. Tudor's appellate materials were pristine. I also deemed this necessary given that printing of this nature was beyond my capacity as a solo practitioner.

- c. When I contracted with Cockle for this case, I requested that additional copies of the appendix and briefs be printed beyond those required by the 10th Circuit. Specifically, I asked Cockle to print one additional copy of the appendix and ten additional copies of the First and Third briefs. The additional copies were purchased with the intent to use at oral argument and to distribute to Dr. Tudor, co-counsel, and amici counsel.
- d. I retained hard copies of invoices and email receipts of payment issued by Cockle in connection with this case. I personally reviewed those records to produce the supplemental chart, titled “Taxable Costs, Reflecting Actual Costs Incurred, Summary Chart” for this matter, which appears on page 3 of the Verified Itemized Bill of Costs.
- e. Because Tenth Circuit Local Rule 39.1(a) limits printing costs to only those expended on necessary copies served on the Court and further limits reimbursement to no more than \$.20 a page, I ask the Court on page 1 of the Verified Itemized Bill of Costs to reimburse me for only \$679.60 in costs, despite actually spending \$2,232.88.

Dated: Ithaca, New York

September 27, 2021

  
Ezra Young

Subscribed and sworn to before me  
this 27 day of September, 2021  
By Sergey David Vorobyov  
Notary Public

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